REMARKS

Applicants thank the Examiner for total consideration given the present application. Claims 1-2, 4-11, 13-58, and 60-86 were pending prior to the Office Action. Claims 2, 11, 42, 62, 74, and 78 have been cancelled through this Reply. Therefore, claims 1, 4-10, 13-41, 44-58, 60, 61, 63-73, 75-77, 79-86 are pending of which claims 1, 10, 27, 33, 43, 50, 55, 70, 73, 75, 77, 83, and 85 are independent. Claims 1, 4, 10, 27, 33, 43, 50, 55, 63, 70, 71, 73, 75, 77, 83, and 85 have been amended through this Reply. Applicants respectfully submit that no new matter has been added to the application through this amendment.

Applicants appreciate that the previous arguments filed on March 30, 2007 were found persuasive. However, the pending claims now stand rejected under a new ground(s) of rejection. Applicants respectfully request reconsideration of the rejected claims in light of the amendment and remarks presented herein, and earnestly seek timely allowance of all pending claims.

A. Claims 27-28, 31-36, 39-46, 48, 50-56, 58, 60, 62-63, 66-73, 75, 77, and 81-86 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Schilit et al. (U.S. Patent No. 6,279,014)("Schilit") in view of Mishra et al. (U.S. Patent No. 5,805,118)("Mishra"). Applicants respectfully traverse the rejection.

For a Section 103 rejection to be proper, a *prima facie* case of obviousness must be established. *See M.P.E.P. 2142.* One requirement to establish *prima facie* case of obviousness is that the prior art references, when combined, must teach or suggest all claim limitations. *See M.P.E.P. 2142; M.P.E.P. 706.02(j).* Thus, if the cited references fail to teach or suggest one or more elements, then the rejection is improper and must be withdrawn.

In this instance, it is respectfully submitted neither Schilit nor Mishra, either alone or in combination, teaches all claim limitations. For example, amended independent claim 27 now recites, *inter alia,*

>   wherein said *__audio annotation is in the form of audio clips__* and *__wherein the__*
> *__audio annotation is associated with an author of said audio annotation__*, said audio clips
> are stored in a storage which includes *__properties that permit audio information to be__*

associated with a visual so that one audio clip is displayed in synchronism with another audio clip;

an audio input for receiving *verbally* delimited keywords and *converting said verbally delimited keywords into search queries*;

wherein the user interface is controlled by a processor which allows *dynamically accessing the audio clips based on the search queries*. (*Emphasis added.*)

Amended independent claims 33, 43, 50, 55, 70, 73, 75, 77, 83, and 85 also recite, *inter alia*, the above-identified claim features with some minor variation in wordings.

Schilit merely discloses an electronic document organizing system which extracts annotations made to a document along with the context surrounding each annotation and organizes the annotations based upon the annotation attributes and/or context. Schilit further discloses that these annotations are created by grouping marks based upon their proximity in time and space. The document is segmented to determine a minimum context associated with each annotation. A list of the annotations is sorted by the attributes are then displayed to the user. (Abstract.)

Schilit, in FIG. 1, discloses the electronic document organizing system 10 of this invention. The system 10 has a processor 12 communicating with a display 14, a first storage device 16, a second storage device 18 and an input/output interface 20. The first storage device 16 stores a document 22 displayable on the display 14. The input/output interface 20 communicates with any number of conventional input/output devices 24 such as a mouse 26, a keyboard 28 and/or a pen-based device 30. A user may manipulate the input/output devices 24 to annotate the document 22 when displayed on the display 14. The system 10 then stores these annotations 32 in the second storage device 18. (Col. 3, lines 52-63.)

Schilit is distinguished from the claimed invention in that none of the storage devices (16 or 18) include any *properties that permit audio information to be associated with a visual so that one audio clip is displayed in synchronism with another audio clip*. Further, Schilit is completely silent on whether the annotations are in the form of *audio clips*. Schilit is further distinguished in that the input/output devices 24 does not receive *verbally* delimited keywords and converts said verbally delimited keywords into search queries. Further, input/output

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interface 20 of Schilit is not controlled by a processor which allows ***dynamically accessing the audio clips based on the search queries***. Column 5, lines 42-64 of Schilit describe the manner in which the Schilit system assigns attributes. This portion of Schilit fails to teach or suggest that an attribute may be an author of an audio annotation and/or an audio note. Specifically, the cited portion of Schilit references an author as an attribute only with respect to the original document itself. "Attributes may also be inferred from documents. In the system 10, the electronic documents are already associated with a variety of attributes, such as creation date, author, province and title." Since Schilit fails to describe association of an author with an audio annotation and/or audio note, it is respectfully submitted that Schilit cannot teach the above-identified claim feature of amended independent claim 27.

Therefore, for at least these reasons, independent claim 27 is patentably distinct from Schilit. As mentioned above, amended independent claims 33, 43, 50, 55, 70, 73, 75, 77, 83, and 85 recite similar claim features as in claim 27. Therefore, these claims are also patentably distinct from Schilit for the same reasons stated above in regard to claim 27.

Claims 28-32, 34-41, 44-49, 51-54, 56-58, 60-61, 63-69, 71-72, 76, 79-82, 84, and 86, which depend from these independent claims are patentably distinct from Schilit for at least the same reasons as their ultimate base claims and further in view of the novel features recited therein. For example, dependent claim 36 recites, among other features, "wherein said recording step records all ambient sounds." Neither the cited portion nor any portion of Schilit teaches or suggests recording of ambient sounds. In addition, Applicants' dependent claim 39 recites, among other features, "associating additional properties with said audio annotation at the start of recording of said audio annotation." As specifically described in Schilit, attributes are assigned after the context of an annotation is determined. (Schilit, col. 5, lines 42-47). Therefore, withdrawal of the rejection is respectfully requested. Claims 42, 62, 74, and 78 have been cancelled through this Reply rendering the rejection of these claims as moot.

Mishra has not been, and indeed cannot be, relied upon to fulfill at least these deficiencies of Schilit. Mishra merely discloses a conventional method for displaying and managing a set of related images on a screen. Mishra particularly assigns image sets to different

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workspaces and creates a tree of workspace setups for a specific image viewing session and allows customization of the tree on a per user, per workstation type basis. (Abstract.) Nowhere does Mishra teach or suggest "wherein said *__audio annotation is in the form of audio clips__* and *__wherein the audio annotation is associated with an author of said audio annotation__*, said audio clips are stored in a storage which includes *__properties that permit audio information to be associated with a visual so that one audio clip is displayed in synchronism with another audio clip__*; an audio input for receiving *__verbally__* delimited keywords and *__converting said verbally delimited keywords into search queries__*; wherein the user interface is controlled by a processor which allows *__dynamically accessing the audio clips based on the search queries__*" as recited in the independent claims 27, 33, 43, 50, 55, 70, 73, 75, 77, 83, and 85.

     B. Claims 1-2, 4-6, 9-11, and 13-26 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,390,138 to Milne et al. ("Milne") in view of Mishra. Claim 7 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Milne in view of Mishra and further in view of U.S. Patent No. 5,838,313 to Hou et al. ("Hou"). Claim 8 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Milne in view of Mishra and further in view of U.S. Patent No. 6,571,211 to Dwyer et al. ("Dwyer"). Applicants respectfully traverse these rejections. Claim 29 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Schilit in view of Mishra and further in view of U.S. Publication No. 2002/0194260 to Headley et al. ("Headley"). Claim 30 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Schilit in view of Mishra and further in view of U.S. Patent No. 5,644,674 to Aihara et al. ("Aihara"). Claim 36 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Schilit in view of Mishra and further in view of U.S. Patent No. 6,205,419 to Fielder ("Fielder"). Claim 37 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Schilit in view of Mishra and further in view of Hou. Claim 38 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Schilit in view of Mishra and further in view of Hou, as applied to claim 37, and further in view of Dwyer. Claims 47 and 76 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Schilit in view of Mishra and further in view of Milne. Claim 49 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Schilit in view of Mishra and

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further in view of U.S. Patent No. 5,689,717 to Pritt ("Pritt"). Claims 57 and 61 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Schilit in view of Mishra and further in view of U.S. Patent No. 6,144,375 to Jain et al. ("Jain"). Claim 59 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Schilit in view of Mishra and further in view of U.S. Patent No. 6,418,421 to Hurtado et al. ("Hurtado"). Claims 64-65 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Schilit in view of Mishra and further in view of U.S. Patent No. 6,272,484 to Martin et al. ("Martin"). Claim 74 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Schilit in view of Mishra and further in view of U.S. Patent No. 6,055,538 to Kessenich et al. ("Kessenich"). Finally, claims 78-80 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Schilit in view of Mishra and further in view of U.S. Patent No. 5,801,685 to Miller et al. ("Miller").

Applicants respectfully traverse these rejections for the following reasons. Claims 2, 11, 74 and 78 have been cancelled through this Reply, rendering the rejection of these claims as moot.

Applicants' amended independent claim 1 now recites, *inter alia*,

>   an audio input receiving ***audio annotations in the form of audio clips***;
>   a processor for associating said received audio annotations with said displayed electronic information, wherein said processor further ***associates an author of each of said audio annotations with each of said respective audio annotations***, each of said audio annotations being randomly accessible based on the author;
>   a storage for storing the audio clips, wherein the storage of the audio clips includes ***properties that permit audio information to be associated with a visual so that one audio clip is displayed in synchronism with another audio clip***;
>   wherein said audio input receives ***verbally delimited keywords*** and converts said ***verbally delimited keywords into search queries***, and
>   wherein the processor allows ***dynamically accessing the audio clips based on the search queries***." (*Emphasis added.*)

Amended independent claim 10 also recites, *inter alia*, the above-identified claim features with some minor variation in wordings.

It is respectfully submitted that none of Milne, Mishra, Hou, or Dwyer, has been relied upon to teach the above-identified claim features of independent claims 1 and 10. Note that the added limitation "an audio input receives ***verbally*** delimited keywords and ***converts said verbally delimited keywords into search queries*** . . . and allows ***dynamically accessing the audio clips***

based on the search queries" was previously recited in now cancelled claim 74. The Examiner relies on column 15, lines 4-10, column 20, lines 6-21, and column 23, lines 3-7 of Kessenich as disclosing the above-identified claim feature.

It is respectfully submitted that the Examiner's interpretation of the relied upon section of Kessenich is totally erroneous. Although Kessenich discloses some sort of delimited keywords or symbols, these delimited keywords or symbols relate to "*text*" stream (see col. 15, line 6). Neither the cited portion, nor any other portion of Kessenich teaches or suggests "an audio input receives *verbally* delimited keywords and *converts said verbally delimited keywords into search queries* . . . and allows *dynamically accessing the audio clips based on the search queries*" as recited in independent claims 1 and 10.

Therefore, for at least these reasons, it is respectfully submitted that independent claims 1 and 10 are distinguishable from the applied prior art references.

Previously, Applicants canceled dependent claim 59 rendering the rejection of claim 59 as moot. Dependent claims 29-30, 36-38, 47, 49, 57, 61, 64-65, 76, and 79-80, which depend from claims 27, 33, 43, 55, 73, 75, and 77, are patentably distinct over the art of record for at least the same reasons as their ultimate base claims described above and further in view of the novel features recited therein. None of Headley, Aihara, Hou, Dwyer, Milne, Pritt, Jain, Hurtado, Martin, , or Miller, overcomes the deficiencies of Shilit and Kessenich as described with reference to independent claims 27, 33, 43, 55, 73, 75, and 77.

In view of the above amendment, Applicants believe the pending application is in condition for allowance.

Conclusion

In view of the above remarks and amendment, it is believed that all pending claims are allowable.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Ali M. Imam Reg. No. 58,755 at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37.C.F.R. §§1.16 or 1.14; particularly, extension of time fees.

Dated: November 7, 2007   Respectfully submitted,

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